

*See Exhibit 1*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
AT&T COMMUNICATIONS OF NEW  
YORK, INC., and TELEPORT  
COMMUNICATIONS GROUP INC.,

Plaintiffs,

vs.

BROADVIEW NETWORKS HOLDINGS,  
INC., BROADVIEW NETWORKS, INC., and  
EUREKA TELECOM, INC.,

Defendants.  
-----X

No. 08 Civ. 3042(SAS)


**ORDER TRANSFERRING  
CASE TO SUSPENSE  
DOCKET**

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DOC #:	
DATE FILED:	7/3/08

This Court having been advised by the Defendants that they intend to file a petition for declaratory ruling with the New York Public Service Commission, seeking a determination whether Defendants are obligated to pay access charges to Plaintiffs for terminating toll traffic within a "local access transport area," and no party objecting to a stay of this case while the New York Public Service Commission considers Defendants' anticipated petition

IT IS HEREBY ORDERED THAT the above-referenced case is hereby transferred to the suspense docket pending the New York Public Service Commission's consideration of Defendants' anticipated petition.

SO ORDERED

  
SHIRA A. SCHEINDLIN  
United States District Judge

Dated: New York, New York

*July 3*, 2008